

**PROVO RIVER DISTRIBUTION SYSTEM  
MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS  
JANUARY 10, 2002**

Pursuant to the notice from the office of the State Engineer, and to call by the chairman, the Board of Directors of the Provo River Distribution System convened at 10:00 a.m. on January 10, 2002 in conference room C of the Central Utah Water Conservancy District, 355 West 1300 South, Orem, Utah.

**Presiding: Lee Sim, Utah Division of Water Rights**  
**Conducting: J. Edwin Ure, Chairman**

**Board Members Present:**

J. Edwin Ure, Chairman  
Sherman A. Giles  
Harvey VanWagoner, Vice-Chairman  
Bart Simons  
Boyd Rollins  
Jack Jones  
Russell O. Brown, Secretary/Treas.  
Jonathan M. Clegg  
Farrell Knight  
Daryl Devey

**Representing:**

Group 1 - Kamas Valley Canals  
Group 2 - Upper Provo, East Heber Valley  
Group 3 - Upper Provo, West Heber Valley  
Group 4 - Provo City Canals  
Group 5 - East Provo Canals  
Group 6 - Provo Bench Canals  
Group 7 - Provo Reservoir Water Users Assn.  
Group 8 - Provo River Water Users Assn.  
Group 9 - Upper Provo Individual Rights  
Group 10 - Central Utah Water Conservancy  
Dist.

**Others Present:**

Rich Tullis  
Keith Davis  
Stanley Roberts  
Claudia Conde  
Brad Jorgenson

Central Utah Water Conservancy District  
Provo River Water Users Association  
Provo River Commissioner  
PacificCorp  
Provo City

**Present from State Engineer's Office:**

John Larsen  
Lee Sim  
Ben Anderson  
Jim Riley

Utah Division of Water Rights  
Utah Division of Water Rights  
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Utah Division of Water Rights

## **Adoption of Minutes of Annual Meeting Held January 11, 2001**

No corrections were noted.

**Motion** was made by Director Jones, and seconded by Director Giles, to approve the minutes as amended and carried unanimously.

### **2001 Financial Report**

Lee Sim presented the 2001 financial reports to the board. Total receipts for the year were \$119,837.63. This may be increased by about \$200.00 when the final fund interest report is received. Expenditures were \$116,321.54, which is \$10,255.01 less than the budget. The fund balance is \$56,996.54 which represents an increase from the previous year end of \$3,516.09.

Lee Sim explained that the addition of a line item to the budget for State Engineer's Expense represented only the cost to handle the financial operations of the funding. This is estimated to be 7% of the budget. The current amount is 2-1/2% and will be 5% in 2003 and 7% in 2004.

A **Motion** to approve the 2002 Financial Report was made by Director Devey, seconded by Director Giles, and passed unanimously.

### **Commissioner's and Deputy Commissioner's Reports - 2001 Operations**

Deputy Commissioner Giles' Report:

The 2001 irrigation season started with only about 65% precipitation on the Provo River Watershed. This is the third consecutive year with below normal precipitation. The River peaked on May 16 with 1,673-second feet of natural river. This compares with a normal year of upwards of 3,000 cfs of Natural River.

In the Heber and Kamas Valleys the river was cut on June 29 to 75% of first class rights, 50% of first class rights on July 27, and 30% or less of first class rights on August 4<sup>th</sup> for the rest of the season. The sprinkling system went into use in the Heber Valley in 2001. This helped to make the smaller amount of water go farther for irrigation purposes.

Hay had a third crop in the Heber Valley and water was available until late August.

I enjoyed the cooperation of Commissioner Roberts and all water users on the Provo River in the year 2001.

Commissioner Roberts' Report:

Due to the dry year, Deer Creek and Jordanelle Reservoirs did not fill and secondary rights on the lower Provo were short lived. Class A rights were delivered as follows:

Up thru June 27	100%
June 28 thru July 27	80%
July 28 thru Aug. 5	60%
Aug. 6 thru Aug. 24	30%
Aug. 25 thru Sept. 30	45%
Oct. 1 thru Oct. 15	100%

The Wasatch Efficiency Project was started up this year. There were some problems in the field and a challenge in handling the water rights on paper. These were worked out in spite of a water-scarce year.

Geneva Steel is still using water although they closed down their operations late in the year. Provo Bench Canal Company, Provo Reservoir Canal Company had an agreement with the Provo River Water Users Association to hold some of their early water in Deer Creek and release it later. This made a big difference in the operation of these systems.

### Reviewing Water Commissioners' Activities

Lee Sim said that this is a new agenda item. River Commissioners are now appointed to 4-year terms and this item presents an opportunity to discuss problems, etc.

Director Ure stated that in his area Commissioner Roberts has done an excellent job.

Director Clegg said that the system is becoming more complex and he is concerned about having resources available to handle the work. This is not a reflection on Commissioner Roberts' ability or performance. Users are demanding more dates and it seems each year more is required of the commissioner.

Director Giles stated that more measuring devices are needed in the upper river system. Commissioner Roberts does an excellent job.

Director Simons said that when they have a problem they contact Commissioner Roberts. His knowledge is valuable and would be missed if something were to happen to him.

Director Clegg made a **Motion** to set this as a discussion item at the July meeting. Director Devey seconded the motion and it passed unanimously.

### 2002 Budget and Assessment

The 2002 budget was present by Director Brown as approved in the Provo River Distribution System meeting held January 8, 2002. The total budget was set at \$131,400.00.

Commissioner Roberts recommended that \$1,000 be trimmed from the Lake Creek fund.

Director Knight **Moved** that the assessment for 2002 be set at \$119,000. The motion was seconded by Director Van Wagoner and passed unanimously.

## **Reviewing Assessment Accounts**

Lee Sim said that the State Engineer's policy on delinquent accounts is as follows:

1. When account becomes 2 years old, send a warning letter and allow 2 weeks to respond.
2. If there is a response, send a notice of agency action. Provide 20 days to respond.
3. If no response, send a notice to cease and desist use. Notify the River Commissioner and place order in water right file.

Lee Sim provided a listing of accounts which have been delinquent more than two years.

**Motion** was made by Director Giles to remove the following accounts from the assessment lists and to place a notice in the water right file so that no action could be taken on the right until assessments were paid:

43-108	Ross H. Cole
43-40	Stan Davenport
43-58	Burt S. Penrod
43-88	Jesse Millett
43-103	Ricardo & Suzanne Carbajal
43-288	Larry R. Beck
43-52	Upstream Limited Angela Dyan Grow

Motion seconded by Director Van Wagoner and passed unanimously.

Commissioner Roberts will research the remainder of the accounts and attempt to determine ownership and/or addresses.

## **Other Business**

**Motion** made by Director Jones to set a special meeting for July 10, 2001 at 9:00 a.m. at the CUWCD office. Motion seconded by Director Van Wagoner and passed unanimously.

## **Adjournment**

The meeting was adjourned at 11:45 a.m.

Minutes approved \_\_\_\_\_

# PROVO RIVER DISTRIBUTION SYSTEM

**2002 Budget**

*ROB 1-8-02*

Code No.	Item Description	Amount Budgeted
	Commissioner: Roberts, Stanley H. Jr.	
1	Salary	\$ 49,685.00
2	Social Security	\$ 3,800.00
3	Retirement	\$ 6,956.00
4	Travel Expense	\$ 3,200.00
	Deputy Commissioner: Gordon, David Raymond	
5	Salary	\$ 2,185.00
6	Social Security	\$ 167.00
8	Travel Expense	\$ 500.00
	Deputy Commissioner: Giles, Sherman A.	
5	Salary	\$ 24,225.00
6	Social Security	\$ 1,854.00
7	Retirement	\$ 3,391.00
8	Travel Expense	\$ 2,500.00
9	Contractual Services	\$ 2,500.00
11	Insurance Premiums	\$ 16,632.00
12	Office Expense	\$ 1,500.00
14	Telephone Expense	\$ 1,000.00
15	Committee Expense	\$ 5,400.00
16	Annual Report	\$ 500.00
17	Equipment Expense	\$ 500.00
18	Miscellaneous Expense	\$ 1,705.00
19	State Engineer's Office Expense	\$ 3,200.00
	<b>2002 Budgetary Totals</b>	<b>\$ 131,400.00</b>

**2002 System Assessment \$119,100.00**